

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

Wells Fargo Bank, NA,	)	
as Trustee for Option One Mortgage	)	
Loan Trust 2003-1,	)	
	)	
Plaintiff,	)	CASE NO. 4:13-cv-00193-CDL
	)	
v.	)	
	)	
Pedro Burgos,	)	
and All Others,	)	
	)	
Defendants.	)	
_____	)	

**MOTION TO REMAND**

COMES NOW, Wells Fargo Bank, NA, as Trustee for Option One Mortgage Loan Trust 2003-1, (hereinafter “Wells Fargo” or “Plaintiff”) Plaintiff in the above referenced civil action, and pursuant to 28 U.S.C. § 1447(c) moves this Honorable Court to enter an Order remanding this civil action to the Municipal Court of Columbus, State of Georgia, on the grounds that this Court does not have subject matter jurisdiction over this civil action.

In support of this Motion, Wells Fargo relies on its Memorandum of Law in Support of Motion to Remand filed contemporaneously herewith, and the other

pleadings and documents of record in this action.

WHEREFORE, Wells Fargo prays that its Motion to Remand be granted and that Wells Fargo has such other and further relief as may be just and proper.

Respectfully submitted, this 5th day of July, 2013.

<b>BAKER, DONELSON, BEARMAN, CALDWELL &amp; BERKOWITZ, P.C.</b> Monarch Plaza, Suite 1600 3414 Peachtree Road, N.E. Phone: (404) 577-6000 Facsimile: (404) 221-6501 smichalove@bakerdonelson.com dmoore@bakerdonelson.co	<u>/s/ Scott H. Michalove</u> Scott H. Michalove Georgia Bar No. 504016 Daniel P. Moore, Esq. Georgia Bar No. 940480
--	--

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **MOTION TO REMAND** was served via electronic copy of the ECF notification system to counsel of record and has been sent via United States Mail, postage pre-paid, in a properly addressed envelope to Pro Se Defendant:

Pedro J. Burgos  
7440 McKee Rd  
Upatoi, GA 31829

This 5th day of July, 2013.

/s/ Scott H. Michalove  
Scott H. Michalove, Esq.  
Georgia Bar No. 504016  
*Attorney for Plaintiff*

**BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, PC**  
Suite 1600, Monarch Plaza  
3414 Peachtree Rd. NE  
Atlanta, Georgia 30326  
Ph. 404-577-6000  
Fax 404-221-6501  
Email: smichalove@bakerdonelson.com